

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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In Re:

Theresa Wolf

Case No.: 16-19775RG

Chapter: 13

Judge: Gambardella

Return date: October 18, 2017

CHAPTER 13 DEBTOR CERTIFICATION IN RESPONSE TO TRUSTEE MOTION TO DISMISS

I, Theresa Wolf hereby certify as follows:

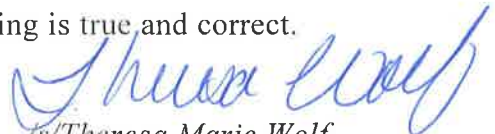
1. I am the debtor in the above-captioned Chapter 13 and make this certification response to the trustee's motion to dismiss by Chapter 13 based on failing to make my last three trustees payments which is true.
2. I had been for the most part regular in making my plan payments, and to date have paid into the Plan \$43,314.00 with a payment now due each month of \$4,003.
3. My circumstances are that I own three restaurants with a partner and significant other, John Lyons, who is also a co-owner of the home we live in. We both work full time at running these restaurants. About four months ago I discovered that he was having an inappropriate relationship with an employee at one of the

- restaurants, and this created an atmosphere in which I was unable to properly continue doing my part in the running of the restaurants.
- 4 Then, on top of this, in the past month he has collapsed twice in the restaurant from a heart ailment, and the second collapse resulted in a stroke. Since that time I have had to work 80 hours a week to make up for his incapacity to run the restaurants and have also had to hire extra labor.
- 5 For these reason, I have fallen behind in my post petition regular payments on our home (to the extent of \$28,000.) and also bounced a check both to the trustee (August) and also to the State Division of Sales Tax.
- 6 Fortunately I have since been able to make up my bounced check to the Division of Taxation, and have been in constant communication with Cynthia Johnson, an investigator out of the Fair lawn office, to arrange for a new payment schedule of both the pre-petition and post petition obligations, since Ms. Johnson advised me that when I bounced the payment for the second quarter of this year, the consent order arrangement was in her words “dismissed from the bankruptcy division” and therefore a new payment schedule is now being arranged.
- 7 Mr. Lyons is now partially back to work, and by the end of this week is expected to be back to work full time with only having to be on blood pressure medication. The business income is now returning to normal levels. With the amend Plan, and with the cooperation of Cenlar, I am hopeful to still be able to save my home and my business.
- 8 Based on the foregoing, I am having my attorney prepare and file today an amended Plan that will address the very substantial first mortgage arrears through

a loan modification. My attorney has reached out to Heather Anderson at the State Attorney General's office to discuss the new arrangements with the State Division and appropriate documents will be filed with the court regarding the proof of claims filed by the State

I certify under penalty of perjury that the foregoing is true and correct.

Date: October 16, 2017


/s/Theresa Marie Wolf
Theresa Marie Wolf